



# National Health Service Act 2006

## 2006 CHAPTER 41

### PART 2

#### HEALTH SERVICE BODIES

#### [<sup>F1</sup>CHAPTER A3

#### INTEGRATED CARE BOARDS]

#### *[<sup>F1</sup>Intervention powers*

#### [<sup>F1</sup>14Z61] Power to give directions to integrated care boards

- (1) This section applies if NHS England is satisfied that—
  - (a) an integrated care board is failing or has failed to discharge any of its functions, or
  - (b) there is a significant risk that an integrated care board will fail to do so.
- (2) NHS England may direct the integrated care board to discharge such of those functions in such manner and within such period or periods as may be specified in the direction.
- (3) NHS England may direct—
  - (a) the integrated care board, or
  - (b) the chief executive of the integrated care board,to cease to perform any functions for such period or periods as may be specified in the direction.
- (4) NHS England may—
  - (a) terminate the appointment of the integrated care board's chief executive, and
  - (b) direct the chair of the board as to which individual to appoint as a replacement and on what terms.
- (5) Where a direction is given under subsection (3)(a) NHS England may—

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**Status:** Point in time view as at 28/02/2024.

**Changes to legislation:** National Health Service Act 2006, Section 14Z61 is up to date with all changes known to be in force on or before 16 July 2024. There are changes that may be brought into force at a future date. Changes that have been made appear in the content and are referenced with annotations. (See end of Document for details)

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- (a) exercise, on behalf of the integrated care board, any of the functions that are the subject of the direction;
  - (b) direct another integrated care board to perform any of those functions on behalf of the integrated care board, in such manner and within such period or periods as may be specified in the direction.
- (6) A direction under subsection (5)(b) may include provision prohibiting or restricting the integrated care board from making delegation arrangements in relation to a function that is exercisable by it by virtue of the direction.
- (7) In subsection (6) “delegation arrangements” means arrangements made by a person for the exercise of a function by someone else.
- (8) Where a direction is given under subsection (3)(b) NHS England may—
- (a) exercise, on behalf of the chief executive, any of the functions that are the subject of the direction;
  - (b) direct the chief executive of another integrated care board to perform any of those functions on behalf of the chief executive, in such manner and within such period or periods as may be specified in the direction.
- (9) For the purposes of this section—
- (a) a failure to discharge a function includes a failure to discharge it properly, and
  - (b) a failure to discharge a function properly includes a failure to discharge it consistently with what NHS England considers to be the interests of the health service.]

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#### Textual Amendments

- F1** Ss. 14Z32-14Z64 and cross-headings inserted (1.7.2022) by [Health and Care Act 2022 \(c. 31\)](#), [ss. 25\(2\)](#), 186(6); S.I. 2022/734, [reg. 2\(a\)](#), [Sch.](#) (with [regs. 13, 29, 30, 33](#))

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